



# Lambda Letters Project

33780

Lavender Library, Archives  
and Cultural Exchange  
Sacramento, CA

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## LLP Annual Meeting

Save the date! You are invited to attend our annual meeting, which takes place on Saturday, January 31, 2004, at 1 p.m. at the Lambda Community Center, 1927 L Street, Sacramento. We need a quorum of one-third of the membership (in person or by proxy) to conduct business. Whether you attend or not, *please complete and return the enclosed proxy right away*. If you decide to attend, you can always revoke your proxy and vote in person. We look forward to receiving your ideas and input at our annual meeting. ###

## Homophobes Attack

By Boyce Hinman, Chief Lobbyist

The ink was hardly dry on Governor Davis' signature of AB 205 when Senator Pete Knight (R-Palmdale), Assemblymember Ray Haynes (R-Temecula), and an unelected individual named Lee Olson fired a double-barreled attack on our rights. Knight and Haynes submitted a proposed referendum to the secretary of state's office and Olson submitted a proposed state constitutional amendment. All three men are now quickly gathering signatures to put these two items on the ballot in California.

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## Why LLP Needs Funds

By Michael Butler, LLP Treasurer

The Lambda Letters Project is in need of your contribution. Although we have increased our fundraising and remain lean, we still spend more than we collect. Postage and printing costs are two culprits.

This was a great year for passing legislation that helps our members. If you think our work together is important, *please think about how you can contribute to keep us going*. We are in dire need of cash and volunteers who are willing to raise cash.

Consider this: In 2002 we took in \$47,000 and spent \$50,000; in 2003, so far, we took in \$35,000 and spent \$41,000. You can see that we need \$9,000 just to break even but \$20,000 would really help us get on a sound footing.

Please send a generous contribution along with your signed letters this month. But please also join our fundraising program and help us find others to donate to LLP. Here's how you can get involved—contact one of the following individuals: in Los Angeles, Lori Norman (bettyboop\_1930@hotmail.com); in Northern California, Michael Butler (mbutler@gvn.net) or Allan Robin (aer4nyl@pacbell.net); in San Diego, Pat Washington (themorgangirl@aol.com).

Please help us build a strong financial base so that we can work even harder on your behalf. ###

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## Lambda Letters Progress Report

### Letters & Messages Collected

September, 2003	31,118 letters & e-mails
In all of 2003	233,792 letters & e-mails

### Dollars Spent

September, 2003	\$4,873
In all of 2003	\$40,660

### Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.



# Lambda Letters Project

## Mission Statement

To promote people of color, feminist, lesbian, gay, bisexual, transgender, intersex, and HIV/AIDS status advocacy; and to bring people of color, women, lesbians, gays, bisexuals, transgender and intersex persons, and persons affected by or living with HIV/AIDS into full participation in American society.

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We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists. The Lambda Letters Newsletter is published monthly, except in December, by Lambda Letters Project Inc., 6529 Cowboy Way, Citrus Heights, CA 95621.

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Business-card sized ads (3½"x2") \$10, quarter-page ads \$30, third-page ads \$33, half-page ads \$45, full-page ads \$75, full back-page ad \$100. Deadline for payment and camera-ready copy, along with your name and phone number, is the 25th of each month.

☐ Yes, I want to make a donation to help LLP continue its important work.

(Appreciated but not required.)

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Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave?

If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212.

The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.



## Halt Rising Autoimmune Diseases

By Adrienne Lauby, Legislative Analyst

Seventy-five percent of autoimmune diseases occur in women. Why? Current theories lack proof and agreement.

Autoimmune diseases represent the fourth largest cause of disability among women in the United States. Often autoimmune diseases attack women during their childrearing and working years. Among them are severe chronic illnesses like Epstein-Barr virus, lupus, rheumatoid arthritis, scleroderma, multiple sclerosis, Guillain-Barre syndrome, Hashimoto's thyroiditis, Graves' disease, and colitis. (Find out more information from the American Autoimmune Related Diseases Association at [www.aarda.org/women.html](http://www.aarda.org/women.html).)

A bill languishing in Congressional Committee addresses this research problem. HR 370, the Women's Autoimmune Diseases Research and Prevention Act, sponsored by Congressman Stephen F. Lynch (D-Mass.) would expand, intensify, and coordinate activities with respect to the study of autoimmune diseases in women.

The number of women living with these diseases has risen but most of us don't know it. It is not fashionable to talk about a woman who can't walk down the hallway or who loses her job because of arthritis. Autoimmune disease is a major women's health issue but these slow, chronic diseases don't kill directly. And, they don't get enough attention.

Autoimmune diseases seem to have a genetic component and, mysteriously, they can cluster in families as different illnesses. For example, a mother may have lupus erythematosus, while her daughter has diabetes and her grandmother has rheumatoid arthritis.

HR 370 is directed toward historically underserved populations of women, such as lower-income and minority women, and toward women who are at risk for autoimmune diseases. It will be carried out through community health centers or other health centers, through state or local health departments, or through primary care physicians.

Exposures to various chemicals such as pharmaceuticals and solvents have been linked to autoimmune

## The Transgender Terrorist?

By Teri Ford, Legislative Analyst

In September 2003 the United States Department of Homeland Security (DHS) issued the following warning to the American public: "Previous attacks underscore al-Qaida's ability to employ suicide bombers—a tactic which can be used against all soft targets and VIPs. Terrorists will employ novel methods to artfully conceal suicide devices. Male bombers may dress as females in order to discourage scrutiny." The DHS continued the statement by listing potential "soft targets." The targets included not only airports but businesses such as restaurants, hotels gas stations, shopping malls, and apartment complexes.

Transgender persons are the people most affected by this warning. The DHS statement singles out transgender individuals, implying deception and dishonesty on their part. This view is unrealistic. Transgender individuals seek to "fit in" and generally try to call as little attention to themselves as possible for reasons of personal safety. They are scorned and ridiculed by much of society. They are the people who suffer the most discrimination in American society. The DHS statement is discriminatory; for example, it does not list other persons dressed as clergy as suspicious. The statement is likely to encourage unjustified discrimination and abuse against transgender people by the public or by security screeners.

There have not been any incidents within the United States involving male terrorists dressed as women. There was an incident in Pakistan in which Arab males were arrested posing as women. The occurrence involved five men who claimed they were trying to seek refuge. They were arrested after a car chase and after they had injured a pedestrian. The men were wearing *burqas*, garments worn by Muslim Afghan females. *Burqas* encompass the body from head to toe. *Burqas* are not typically worn by Western women.

Will terrorists dress as women to avoid suspicion in the United States? Al-Qaida members believe that the apparel of the American woman is offensive to Allah. It seems unlikely that terrorists will be posing as

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## Support Global AIDS Fund

By Jamie E. Shauvin, Legislative Analyst

This month we ask that you write to President George W. Bush asking him to help ensure that Congress appropriates a total of \$2.5 billion for global AIDS programs for fiscal year 2003, including at least \$1.2 billion for the Global Fund to Fight AIDS, Tuberculosis, and Malaria. These funds can be used effectively now to provide desperately needed resources for the fight against the global spread of AIDS.

What is the Global Fund to Fight AIDS? The Global Fund was created to finance a dramatic turnaround in the fight against AIDS, tuberculosis, and malaria. These three diseases kill more than 6 million people each year and the numbers are growing. This massive scaling-up of resources supports aggressive interventions against all three diseases. By funding the work of new and existing programs, millions of lives can be saved, the spread of the disease can be stopped, and the devastation to families, communities, and economies around the world can be halted.

Despite the high prevalence rate of infected people in many countries, there are still more than 200 million adults in Africa and 900 million in India who are not yet infected. Expanding prevention programs will not only protect these people from infection and disease but will greatly reduce the future impact on their societies. Those who are already infected can greatly benefit from improved medical care and social support.

Global AIDS funding can help those infected and affected to cope with the disease and its impact.

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## Support Compromise Breakthrough for Farm Workers

By Marty Martinez, Legislative Analyst

Farm workers, many of whom have not been able to achieve legal residency, live in constant fear despite paying taxes and providing an important economic service to the country. Recently, compromise legislation was introduced in Congress to provide some relief, allowing more undocumented farm workers legal residency status in the United States. The compromise has broad support—from farm workers, agricultural growers, Democrats, and Republicans.

The compromise is known as the Agricultural Job Opportunity, Benefits, and Security Act of 2003. It takes the form of two bills, SB 1645 by senators Edward Kennedy (D-Mass.) and Larry Craig (R-Idaho) and HR 3142 by representatives Howard Berman (D-Van Nuys, Calif.) and Chris Cannon (R-Provo, Utah).

Both bills would create a program enabling undocumented farm workers to earn legal immigration if they have been working in the US and continue to work in agriculture for a period of time. The bills would also make reforms in the existing agricultural guest worker program, the H-2A temporary foreign agricultural worker program.

These bills form an historic bipartisan agreement negotiated by the United Farm Workers and the nation's major grower groups. So far Senator Boxer is a cosponsor of the Senate version of the bill and Senator Feinstein is not. This month we ask you to write Senator Feinstein to support this progressive step forward. ###



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# November Legislative Update

The state legislature ended its 2003 session at 4 AM on September 13. Governor Davis then had until midnight on October 12 to sign or veto any bills sent to him by the legislature, or to allow them to become law without his signature. The following list shows the outcomes of the bills we have been supporting.

As you will see, the status line on some bills say they are two-year bills. These bills did not complete the legislative process this year. They may be brought up again by their authors in January 2004. In that case, the bill can be taken up again next year where it left off; it won't have to start the whole legislative process all over again. For example, if the bill was introduced in the Assembly and was approved by that house, it would not have to be approval by the Assembly again.

It is worth noting that a remarkable number of bills supported by Lambda Letters were passed by the legislature and signed by the governor. The letters and messages (almost 230,000 of them) sent to elected officials by good people like yourself had a great deal to do with making this a reality.

## HIV/AIDS Issues

**AB 879** (Paul Koretz, D–West Hollywood)

**Purpose:** To require the Office of AIDS to convene a task force to develop recommendations for the use of post-exposure prophylaxis (PEP) in the general population for the prevention of HIV infection.

**Status:** Signed by the governor.

**LLP Position:** Support.

**AB 946** (Patty Berg, D–Santa Rosa)

**Purpose:** To authorize cities or counties to develop clean needle and syringe exchange projects that contain prescribed components. This bill would require a participating county or city to assess the project using certain criteria and submit a progress report that takes into consideration data from the assessment.

**Status:** Vetoed by the governor.

**LLP Position:** Support.

**AB 1676** (John Dutra, D–Fremont)

**Purpose:** To allow testing of blood from a pregnant woman for the presence of HIV. Existing law requires a physician and surgeon to obtain a blood specimen from

a pregnant woman before or at the time of delivery. Under the bill, HIV testing would not be required if the pregnant woman has been previously determined to be chronically infected with HIV, as specified. The bill would require certain medical care providers to ensure that the woman is informed of, among other things, the purpose of testing and that the woman has a right to refuse testing.

**Status:** Signed by the governor.

**LLP Position:** Support.

**SB 71** (Sheila Kuehl, D–Los Angeles)

**Purpose:** Among other things, to authorize school districts to provide comprehensive sexual health education, as defined, in grades K–12, and to require school districts to ensure that all pupils in grades 7–12 receive HIV/AIDS prevention education.

**Status:** Signed by the governor.

**LLP Position:** Support.

**SB 151** (John Burton, D–San Francisco)

**Purpose:** To eliminate the extra paperwork required of doctors when prescribing a Schedule II controlled substance (mostly potent pain medications).

**Status:** Signed by the governor.

**LLP Position:** Support. The bill should reduce the barriers to providing patients with adequate pain management.

**SB 774** (John Vasconcellos, D–San Jose)

**Purpose:** To authorize a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions, and to authorize a person to possess up to 30 hypodermic needles or syringes if acquired through an authorized source. These things would facilitate authorized clean needle-exchange programs around the state. Would also require the State Office of AIDS to study the effectiveness of clean needle-exchange programs.

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## Deborah A. Brooks

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## Legislative Update

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**Status:** Vetoed by the governor.

**LLP Position:** Support.

### *Lesbian, Gay, Bisexual, Transgender, Intersex Issues*

**AB 17** (Christine Kehoe, D–San Diego)

**Purpose:** To prohibit a state agency from entering into a contract for the acquisition of goods or services with a vendor or contractor who does not offer benefits to domestic partner employees, as defined, that are equal to benefits offered to employees with spouses, except as otherwise specified.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 196** (Mark Leno, D–San Francisco)

**Purpose:** To ban discrimination against transgender people.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 205** (Jackie Goldberg, D–Los Angeles)

**Purpose:** To extend the rights and responsibilities of marriage to registered domestic partners, and to revise the process for registering as domestic partners.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 266** (Gene Mullin, D–San Mateo)

**Purpose:** To authorize the San Mateo County Board of Supervisors to elect to grant domestic partner benefits to the partners of county employees and retirees, through collective bargaining and based on actuarial cost estimates.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 458** (Judy Chu, D–Monterey Park)

**Purpose:** To guarantee the rights of a foster child to have fair and equal access to all services, placement, care, treatment, and benefits, and not to be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, or mental or physical disability. Also to require training for administrators, licensing personnel, licensed foster parents, and relative caretakers to

include training about this right.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 1082** (John Laird, D–Santa Cruz)

**Purpose:** The state government and many local governments are part of the Public Employees Retirement System (PERS). This system allows these governments to offer health benefits to the domestic partners of their employees and retirees if the employees or retirees and their partners meet the state's definition of domestic partnership. Some local governments prior to January 1, 2001, created definitions of domestic partners which differ from the state's definition. AB 1082 would allow these governments to offer health benefits to any persons meeting those local definition of a domestic partner of an employee or retiree of those governments.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

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**AB 1250** (John Laird, D–Santa Cruz)

**Purpose:** To provide funding for training of teachers designed to improve prevention of intolerance and hatred in schools.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**SB 2** (John Burton, D–San Francisco)

**Purpose:** To require medium and large employers to provide health insurance for their employees and, in the case of larger employers, for their dependents, including domestic partners. The employer could buy employee insurance directly or pay premiums to the state for a state-provided health insurance plan. The bill's provisions would be phased in over the next few years.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**SB 85** (Tom Torlakson, D–Walnut Creek)

**Purpose:** To allow any county to offer the same death benefits, optional retirement allowances, or survivor's allowances to a registered domestic partner of a county employee or retiree that are currently offered to a spouse of a county employee or retiree. However, for the domestic partner to qualify for the benefits, an affidavit of domestic partnership must be on file with the county one year prior to the employee's retirement or death prior to retirement.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**SB 478** (Joe Dunn, D–Garden Grove)

**Purpose:** To require employers to allow an employee who is a victim of a crime, or certain persons who are related to a crime victim, including domestic partners, to be absent from work in order to attend judicial proceedings related to the crime.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

### *People of Color Issues*

**AB 25** (Fabian Nunez, D–Los Angeles)

**Purpose:** To require state agencies to accept as valid identification of a person a foreign identification card issued by another nation, as defined, to its citizens or nationals, subject to specified exceptions. Would allow police officers to request additional ID if the officers thought the original ID might be a fake.

**Status:** Sent to the Senate floor. Now a two-year bill.

**LLP Position:** Support.

**AB 30** (Keith Richman, R–Granada Hills)

**Purpose:** To require the state to expand the Healthy Families Program to provide health insurance coverage to employed, childless adults who are uninsured for healthcare coverage and who meet certain household income requirements, and also to working parents or adult care givers of children in the Healthy Families Program, subject to approval of a federal waiver and appropriation of state matching funds. Could result in the new covered person owing \$2,000 to \$3,000 in copayments per year.

**Status:** Approved by the Senate Insurance Committee. Sent to the Senate Appropriations Committee. No hearing date set yet. Now is a two-year bill.

**LLP Position:** Switched to neutral because of the copayments.

**AB 54** (Jenny Oropeza, D–Carson)

**Purpose:** To require the California Commission on Teacher Credentialing, in consultation with the State Department of Education, to contract with an independent evaluator to conduct a study of the availability and effectiveness of cultural training for public school teachers and administrators. The bill would require the study to focus on 10 culturally diverse schools that reflect the diverse demography and geography of California and would prescribe criteria for selecting those schools.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 177** (Jenny Oropeza, D–Carson)

**Purpose:** To require that voters pamphlets include a statement setting forth various specified rights of voters during an election, including the right to get election materials in a language other than English. The secretary of state would be required to print posters in English and Spanish and other languages, setting forth the list of rights, and distribute the posters to county elections officials for display by precinct officials at their polling places.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 231** (Darrel Steinberg, D–Sacramento)

**Purpose:** To help people qualify for the CalWORKs and Food Stamp Programs which serve limited-income people in California. Because their assets are reviewed



## Legislative Update

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to see whether they qualify for the programs, this bill states that a car owned by someone should not be considered when determining whether that person has few-enough assets to qualify for the programs. Would also require each county welfare department, to the maximum extent allowable under federal law, to provide transitional food stamp benefits to households terminating their participation in the CalWORKs program for a period of five months. Also would eliminate a fingerprint electronic ID system now used by the food stamp programs. Studies show that this system is ineffective in eliminating duplicate applications.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 292** (Leland Yee, D-San Francisco)

**Purpose:** To provide that a state or local governmental agency, or a public or private agency supported by state funding, shall not use any child, or permit any child to be used, as a translator or interpreter in any matter involving the business or function of that agency except as specified. Also to require each agency that receives

state funding to have available for inspection an established procedure for translation services that provide competent translation services.

**Status:** Now is a two-year bill.

**LLP Position:** Support.

**AB 309** (Judy Chu, D-Monterey Park)

**Purpose:** Existing law requires a person in a trade or business who negotiates contracts primarily in Spanish to deliver a Spanish copy of the contract to the other party prior its execution. Failure to do so can void the contract. This bill extends these provisions to contracts negotiated in Chinese, Tagalog, Vietnamese, and Korean. Only becomes operative if SB 146 is also passed.

**Status:** *Signed by the governor.*

**LLP Position:** Support, but would prefer the bill to cover all languages.

**AB 522** (Manny Diaz, D-San Jose)

**Purpose:** To require local governments to accept for purposes of personal identification an identification card issued by the Mexican Consulate Office, to the extent permitted by federal law, the same as a driver's license or identification card issued by the Department of Motor Vehicles except when possession of a valid

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driver's license is required by law. Would allow police officers to request additional ID if the officers thought the original ID might be a fake.

**Status:** Vetoed by the governor.

**LLP Position:** Support.

**AB 801** (Manny Diaz, D-San Jose)

**Purpose:** To create a voluntary program for physicians. It would develop voluntary classes to teach foreign languages to interested physicians, and teach physicians about cultural practices and beliefs that impact healthcare. The bill would reduce the barriers to healthcare faced by many minority Californians. Will also make technical changes to a program, already in place, which allows licensed dentists from Mexico to practice dentistry in California.

**Status:** Signed by the governor.

**LLP Position:** Support.

**AB 1657** (Wilma Chan, D-Oakland)

**Purpose:** To prohibit the sale, offering for sale, distribution, or import into this state of any *prepackaged* gelatin-based (like Jell-O) alcoholic beverage unless it is sold, offered for sale, or intended to be sold in a business establishment (for consumption on the premises) that prohibits the presence of persons under 21 years of age on its premises.

**Status:** Now is a two-year bill.

**LLP Position:** Support.

**AJR 3** (Jerome Horton, D-Inglewood)

**Purpose:** To urge Congress and the president of the United States to repeal the federal law which denies or delays access to federal scholarships for students who have prior convictions for drug related offenses.

**Status:** Approved by the Senate. Awaiting a final vote in the Assembly. Now is a two-year bill.

**LLP Position:** Support.

**SB 17** (Martha Escutia, D-Norwalk)

**Purpose:** To amend the laws relating to property taxes on nonresidential commercial and industrial property to eliminate loopholes that have allowed such properties to evade reassessment upon sale of the property.

**Status:** Awaiting a final vote in the Assembly. Now is a two-year bill.

**LLP Position:** Support. This bill would increase tax revenues and reduce the need to cut spending on health and social services programs.

**SB 24** (Liz Figueroa, D-Fremont)

**Purpose:** Existing law requires the Department of Health Services to adopt a federal Medicaid option to extend eligibility for Medi-Cal benefits to certain pregnant women. This bill would require that the form used to implement the above-described Medicaid option also qualify as a simplified application for the Medi-Cal program for those pregnant women or, if necessary, to ensure federal financial support for services.

**Status:** Signed by the governor.

**LLP Position:** Support. This bill would provide another door into Medi-Cal for poor children and eliminate the need for them to go to another office to apply for Medi-Cal.

**SB 36** (Wes Chesbro, D-Santa Rosa)

**Purpose:** To provide that federally qualified health center services and rural health clinic services, as defined, are covered benefits under the Medi-Cal program, to be reimbursed to providers on a per-visit basis. The bill would also provide for various requirements pertaining to the reimbursement of these services.

**Status:** Signed by the governor.

**LLP Position:** Support.

**SB 43** (Gil Cedillo, D-Los Angeles)

**Purpose:** To provide an easy way for people to contribute to the Emergency Food Assistance Program Fund by submitting extra money with taxes owed to the state each year. The bill would permit this until January 1, 2009.

**Status:** Signed by the governor.

**LLP Position:** Support.

**SB 146** (Martha Escutia, D-Norwalk)

**Purpose:** To help non-English-speaking people understand business contracts they sign. Current law requires business people who negotiate certain contracts primarily in Spanish to deliver a Spanish translation of the contract to other parties prior to execution of the contract. This bill adds that the Spanish document must include a translation of every term and condition in that contract.

**Status:** Signed by the governor.

**LLP Position:** Support, but we would like other languages added to the bill.

Continued on page 10



## Legislative Update

*Continued from page 9*

**SB 853** (Martha Escutia, D-Norwalk)

**Purpose:** To require that healthcare service plans in California offer access to language assistance and culturally competent health care services.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**SB 921** (Sheila Kuehl, D-Los Angeles)

**Purpose:** To declare the intent of the legislature to implement a single-payer, universal healthcare delivery system in California.

**Status:** Approved by the Senate and sent to the Assembly. Now is a two-year bill.

**LLP Position:** Support.

## Women's Issues

**AB 23** (Joe Nation, D-San Rafael)

**Purpose:** To provide that when property is held in joint tenancy, by two or more persons, the property will be considered sold and subject to reassessment, for property tax purposes, when all the original joint tenants have either sold or given away their interests in the property.

**Status:** Sent to the Senate Appropriations Committee. Now is a two-year bill.

**LLP Position:** Neutral. Its purpose has been changed. It no longer relates to our issues.

**AB 76** (Ellen Corbett, D-San Leandro)

**Purpose:** To make it unlawful for an employer to fail to take immediate and appropriate corrective action to prevent sexual harassment of an employee by an applicant, or a person providing services or by any person, once the employer knows or should have known of this conduct.

**Status:** *Signed by the governor.*

**Position:** Support.

**AB 134** (Rebecca Cohn, D-Campbell)

**Purpose:** In certain circumstances, to increase the penalty for domestic violence if the accused had been convicted previously of domestic violence.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 183** (Joe Nation, D-San Rafael)

**Purpose:** To include licensed marriage and family therapist and licensed clinical social workers services within the scope of Medi-Cal covered benefits, to the extent that federal matching funds are available for those services.

**Status:** Vetoed by the governor.

**LLP Position:** Support.

**AB 184** (Alan Lowenthal, D-Long Beach)

**Purpose:** To allow the driver's registration public records of the victims of domestic violence and stalking to be kept confidential.

**Status:** *Signed by the governor.*

**LLP Position:** Support.

**AB 506** (Bill Maze, R-Visalia)

**Purpose:** To require the police in sexual assault cases to test the victim's blood and urine to see if the victim had been drugged by the attacker, unless the victim objects to the test.

**Status:** *Signed by the governor.*

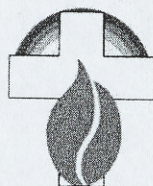
**LLP Position:** Support.

**AB 898** (Judy Chu, D-Monterey Park)

**Purpose:** To authorize a law enforcement agency investigating certain felony sex offenses, upon the request of the victim, to inform the victim whether or not a DNA profile was obtained from the testing of the rape kit evidence or other crime scene evidence from their case; whether that information had been entered into the Department of Justice Data Bank of case evidence; and whether there is a match between the DNA profile developed from the rape kit evidence or other crime scene evidence and a DNA profile contained in the Department of Justice Convicted Offender DNA Database.

**Status:** *Signed by the governor.*

**LLP Position:** Support.



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**AB 1557** (Juan Vargas, D-Chula Vista)

**Purpose:** Existing law provides that when payment of workers' compensation has been unreasonably delayed or refused, either prior to or subsequent to the issuance of an award, the full amount of the order, decision, or award shall be increased by 10 percent. This bill would provide that an employee shall not be entitled to an increase in compensation for unreasonable delay in the provision of medical treatment for periods of time necessary to complete a utilization review process.

**Status:** Signed by the governor.

**LLP Position:** Neutral. Purpose no longer relates to our issues.

**SB 490** (Deirdre Alpert, D-San Diego)

**Purpose:** To simplify and reduce the paperwork that pharmacists must now go through before selling an emergency contraception drug to a customer. Would require a pharmacist to go through "emergency contraception" training before being allowed to sell RU 486 under the new rules.

**Status:** Signed by the governor.

**LLP Position:** Support.

**SB 545** (Jackie Speier, D-San Mateo)

**Purpose:** To simplify and reduce the paperwork that pharmacists must now go through before selling an emergency contraception drug to a customer. Also to reduce the training needed for a pharmacist to dispense the drug.

**Status:** Signed by the governor.

**LLP Position:** Support. ###

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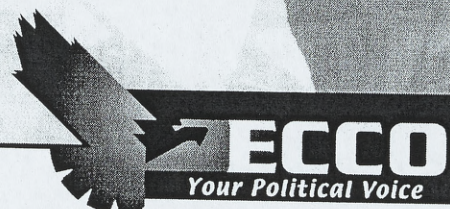
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## Women's Issue

Continued from page 3

diseases. For example, exposure to hydrazine, an industrial chemical, or tartrazine, a food additive, is associated with lupus. For this reason and other environmental questions, HR 370 will give research priority to environmental factors.

This is a good bill and has the potential to help prevent horrendous chronic illnesses and their associated problems. Please write your representative and tell them you want this bill voted out of committee and made into law.

###

## LGBTI Issue

Continued from page 3

Western women. Although not considered offensive to Allah, Middle-Eastern female apparel arouses suspicion within the United States. It is not normal Western attire and it hides much of the body. It is doubtful that terrorists will pose as women from the Middle East. It is likely that the only "men dressed as women" that law enforcement officials will find are transgender women.

Transgender women are not terrorists. They are not practicing deception. They are people seeking life, liberty, and happiness—the same pursuits as the rest of the American population. The statement from the Department of Homeland Security infers that the transgender population should be considered a national threat. Instead, it seems that the DHS is a threat to the safety of transgender individuals. Transgender people are American citizens and should be granted dignity.

Please write your senator and ask her to urge President Bush to correct this discriminatory attitude towards transgender people.

###

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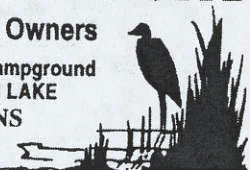
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## HIV/AIDS Issue

Continued from page 4

The epidemic continues to spread at ferocious speed in many parts of the world where the true impact is yet to be felt. Developing countries are hardest hit, particularly those in Sub-Saharan Africa where AIDS has surpassed malaria as the number-one killer. There are over 23 million adults and children currently living with HIV/AIDS in Sub-Saharan Africa. More than 13 million have died, accounting for more than 80 percent of the world's deaths due to AIDS (*AIDS Epidemic Update*, UNAIDS, 1999).

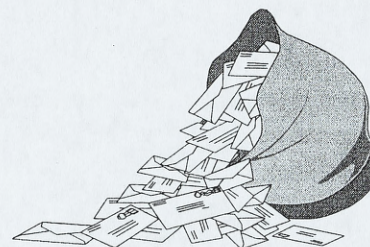
Although the epidemic is at an earlier stage in Asia, it is growing rapidly in some countries. Alone, the sheer number of vulnerable people is cause for alarm.

India faces the devastation that Africa has already seen. Although the HIV prevalence rate in India is relatively low, with only 0.82 percent of adults infected, more than 4 million adults were estimated to be living with AIDS at the end of 1997 and more than 350,000 have died since the epidemic first hit India (*India-Epidemiological Fact Sheet on HIV/AIDS and Sexually Transmitted Diseases*, UNAIDS June, 1998). With a total population of almost one billion, the potential impact in India is frightening.

It is for these reasons that we feel it is urgent to provide funds in addition to other spending to assist impoverished countries.

Please write to President Bush and tell him you strongly support a generous United States contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria.

###



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## Homophobes Attack

*Continued from page 1*

The referendum would ask the people of California to vote on whether AB 205, just signed by the governor, should be overturned.

The referendum needs 373,816 signatures on petitions to qualify for the ballot. Those signatures must be submitted to the secretary of state no later than December 21, 2003. It is likely that the supporters of the referendum will get the required number of signatures. In that case the referendum would appear on the ballot in March, 2004.

The constitutional amendment, if passed, would overturn the dozen or so bills passed by the state legislature over the past several years that protect lesbians, gays, bisexuals, and transgender people from hate crimes and from employment and housing discrimination. It would also overturn all the laws relating to domestic partnerships in the state. All the benefits now available to domestic partners in California would be lost.

The constitutional amendment would also prohibit the legislature from passing any laws in the future that would benefit domestic partners or that would prohibit discrimination or hate crimes against people who are lesbian, gay, bisexual, or transgender.

The constitutional amendment needs 598,105 signatures on petitions to qualify for the ballot. The deadline for submitting the signatures is March 1, 2004. If the number of required signatures are gathered on time, the constitutional amendment will probably appear on the ballot in November, 2004.

Both the referendum and the constitutional amendment will pass if a simple majority of votes are cast for them.

The Lambda Letters Project has joined a coalition that will strenuously fight these two initiatives. Please stay tuned for further developments. We may soon be asking for your help in this effort.

We sincerely hope you will give serious consideration to help fight the homophobes before they convince the state's voters to change California irrevocably for the worse for lesbians, gays, bisexuals, and transgender people.

###

## The Election Aftermath

*By Boyce Hinman, Chief Analyst*

Now that Arnold Schwarzenegger has won the recall election for California's governor, civil rights advocates are reevaluating the challenges they face. Can we get good civil rights legislation passed and signed in California next year? Schwarzenegger is a bit of an unknown. It has been said he is socially moderate and supports gay rights. But he included many conservatives from past Republican administrations in his campaign organization. Who knows where he will go on our issues?

On the other hand, we have a legislative voting record to evaluate our support in the state legislature. For example, Lambda Letters fought for four key civil rights bills this year, which we describe in the "Total Victory!" article on page 15.

In the Assembly, Democrats voted for these four bills 86 percent of the time. Republicans voted against them 97 percent of the time. In the Senate, Democrats voted for the bills 91 percent of the time. Republicans voted against them 80 percent of the time.

These data support the oft-stated view that the Assembly is a bit more conservative than the Senate. This difference may become even greater next year. In 2004 all Assemblymembers will be up for reelection. One third of the state senators will be campaigning next year. Legislators may be more reluctant to support LGBTI rights in an election year.

To see how legislators voted on these four key bills, go online to either [www.lambdaletters.org/SenateRecord2003.html](http://www.lambdaletters.org/SenateRecord2003.html) or [www.lambdaletters.org/AssemblyRecord2003.html](http://www.lambdaletters.org/AssemblyRecord2003.html). If you don't have Internet access, you can request a printed copy of these tables by calling me at (916) 728-1261 or writing me at 6529 Cowboy Way, Citrus Heights, CA 95621.

How did your members of the Assembly and Senate fare? If you don't know who your legislators are, find out on our Web site or ask me and I'll tell you.

These tables are a preview of the overall Scorecard we will soon release. The Scorecard shows how Lambda Letters rated the voting records of legislators this year on all of the bills we covered. We will announce the Scorecard later this year.

###



## Rating the Legislators

By Boyce Hinman, Chief Lobbyist

Each year we review the voting records of our state legislators and governor and publish the results in a package we call the Scorecard. Our work on that is almost done. Preliminary results appear in two tables we have prepared for you. One table shows the score of each Assemblymember on each subject area we work on. The last column of shows the overall average rating of each Assemblymember. The other table provides the same information for each state senator.

To see these tables, go online to either [www.lambdaletters.org/SenateScore2003.html](http://www.lambdaletters.org/SenateScore2003.html) or [www.lambdaletters.org/AssemblyScore2003.html](http://www.lambdaletters.org/AssemblyScore2003.html). If you don't have Internet access, you can request a printed copy of these tables by calling me at (916) 728-1261 or writing me at 6529 Cowboy Way, Citrus Heights, CA 95621.

It is worth noting that in both the Senate and the Assembly no Republicans got passing overall scores (65 percent or above) and all Democrats got passing overall scores. In the Assembly, 22 Democrats got a perfect overall score of 100 percent. In the Senate, five Democrats got perfect overall scores.

Don't jump to conclusions too quickly regarding party labels, however. For example, Assemblymember Keith Richman (R-Granada Hill) did receive an overall failing score of 57 percent but he received a score of 100 percent on AIDS issues. That means he voted the right way on all the AIDS bills we tracked for the scorecard. He also got a passing 66 percent rating for his votes on women's legislation.

How did your members of the Assembly and Senate fare? If you don't know who your legislators are, find out on our Web site or ask me and I'll tell you.

We will announce the Scorecard later this year.

###

### Contact Your Members of Congress!

You'd be amazed how easy it is. Call them toll-free at (800) 648-3516.

Ask the operator to transfer you to your legislator's office. If the line is busy, try again later; you'll get through eventually.

Don't know who represents you in Congress?

Visit the Lambda Letters website:

[www.lambdaletters.org](http://www.lambdaletters.org)

Click on the Who Represents You link in the left navigation bar to find out!

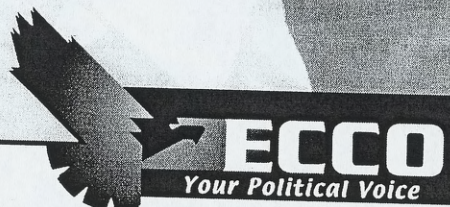
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# Total Victory!

By Boyce Hinman, Chief Lobbyist

We are proud to announce that every lesbian, gay, bisexual, transgender, intersex (LGBTI) rights bill we endorsed in 2003 was passed and signed by Governor Davis. LLP delivered almost 233,000 letters and e-mails to legislators and the governor this year. We also coordinated activities with other community-based organizations. As a result, 10 important LGBTI civil rights bills became law this year. Lori Norman, LLP Chair, expressed her appreciation to the legislature and to the governor for this momentous accomplishment. She noted that this has been the best legislative year for LGBTI rights in the history of California and probably in the history of any state in this nation.

On October 12 the governor announced his signature of AB 17. This was the last of four key LGBTI rights bills signed by him. They are as follows:

- ♦ **AB 17:** Requires all businesses having contracts worth \$100,000 or more with the state government to provide the same benefits to the domestic partners of their employees as they provide to the spouses of their employees.
- ♦ **AB 196:** Prohibits employment and housing discrimination against transgender people.
- ♦ **AB 205:** Grants domestic partners in California most of the rights and duties now available to married people.
- ♦ **AB 458:** Prohibits discriminations against lesbian, gay, bisexual, and transgender foster children or against lesbian, gay, bisexual, or transgender adults who would be their caregivers.

A number of other important LGBTI rights bills became law this year as well:

- ♦ **AB 266:** Allows the San Mateo County Board of Supervisors to elect to provide benefits to the domestic partners of county employees and retirees through the collective bargaining process.
- ♦ **AB 1082:** Allows all counties in California to provide benefits to the domestic partners of their employees and retirees through the Public Employees Retirement System even when the county's definition of domestic partnership is different from that adopted by the state.
- ♦ **AB 1250:** Provides funding for training teachers that is designed to improve the prevention of

intolerance and hatred in schools, including intolerance of lesbians, gays, bisexuals, and transgender and intersex students.

- ♦ **SB 2:** Requires large employers doing business in California to provide health insurance for their employees and families, including the employees' domestic partners.
- ♦ **SB 85:** Allows any county in California to offer the same death benefits, optional retirement allowances, or survivors allowances to the domestic partners of county employees or retirees as are provided to the spouses of county employees or retirees.
- ♦ **SB 478:** Requires employers to allow an employee who is a victim of a crime, or certain persons who are related to a crime victim, including domestic partners, to be absent from work in order to attend judicial proceedings related to the crime.

It's worth noting that Lambda Letters made no financial contributions to any elected officials to get these bills approved by the legislature and signed by the governor. In fact, probably none of the civil rights groups working on behalf of these bills made any significant financial contributions to elected officials. This confirms our belief that a community willing to do its homework, and to flood elected officials with mail and phone calls, can succeed in getting its rights protected by the laws of this state. ###

## Correction

Our October mailing contained a sample letter with some inaccurate information in it. The letter to Congress on House Joint Resolution 56 stated that the US Constitution already has a definition of marriage in it. That is not true. What we meant is that *US law* already has a definition of marriage in it—found in the Defense of Marriage Act which Congress passed and President Clinton signed in the mid-1990s. The distinction is important. Language in the Constitution is harder to change than language in a law passed by Congress. Changing the Constitution requires a two-thirds vote of each house of Congress followed by ratification by two-thirds of the states. Changing a law requires only the votes of simple majorities in both houses of Congress and the signature of the president. We apologize for our error. ###



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